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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 08-74
CIVIL ACTION NO. 10-721

VERSUS

JUDGE HAIK

CHARLES BROOKS

MAGISTRATE JUDGE HANNA

JUDGMENT

Charles Brooks' Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Rec. Doc. 156) was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record and noting the absence of objection, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Charles Brooks' Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Rec. Doc. 156) is **GRANTED**.

Petitioner is granted an out-of-time appeal, the judgment of conviction is reinstated on the docket, and defendant is hereby advised of his right of his right to file a notice of appeal with 14 days of the reinstatement under FRAP 4(b)(1)(A).

Lafayette, Louisiana, this 11th day of May, 2011.


DISTRICT JUDGE RICHARD T. HAIK, SR.